

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Jun 02, 2023

SEAN F. MCAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Joshua Nathan McFarland Case Number: 0980 2:22CR00082-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99216

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: May 11, 2023

Original Offense: Passing of Counterfeit Currency, 18 U.S.C. § 472

Original Sentence: Prison - 1 day;
TSR - 12 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Richard Barker Date Supervision Commenced: May 11, 2023

Defense Attorney: Justin Lonergan Date Supervision Expires: May 10, 2024

PETITIONING THE COURT

To **issue a warrant** and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on May 30, 2023.

On May 11, 2023, a United States probation officer reviewed Mr. McFarland's conditions of supervised release with him. He signed his judgment acknowledging his understanding of his conditions of supervision.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
3	<p><u>Special Condition # 6:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> It is alleged that Mr. McFarland is in violation of his conditions of supervised release by stalling and failing to provide a urinalysis.</p> <p>On May 30, 2023, Mr. McFarland appeared at Pioneer Human Services (PHS) for the purposes of submitting to a random urinalysis. Mr. McFarland stalled and failed to provide a urinalysis. Mr. McFarland was instructed at his intake to report to PHS or the U.S. Probation Office knowing he will be providing a urine specimen and ready to provide one every time he reports for his random urinalysis.</p>

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- 4 **Standard Condition # 2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: It is alleged that Mr. McFarland is in violation of his conditions of supervised release by failing to report to the United States Probation Office on May 31, 2023, as instructed.

On May 31, 2023, at approximately 11:30 a.m. the undersigned officer received notification from PHS that Mr. McFarland failed to provide a urinalysis on May 30, 2023. The undersigned officer attempted to contact Mr. McFarland via telephone. There was no answer, therefore, the undersigned officer left a voicemail instructing him to report to the United States Probation Office that day, May 31, 2023, at 2 p.m. A text message was also sent with those same instructions.

Mr. McFarland failed to report as instructed. The officer called the offender via telephone and left a voicemail instructing him to report to the probation office on June 1, 2023.

- 5 **Special Condition # 6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. McFarland is in violation of his conditions of supervised release by consuming methamphetamine on or about May 31, 2023.

On June 1, 2023, Mr. McFarland reported to the U.S. Probation Office. After several attempts and several hours passing by, Mr. McFarland failed to provided a urinalysis. He admitted to using methamphetamine on May 31, 2023.

- 6 **Special Condition # 4:** You must undergo substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete approved substance abuse treatment programs, which could include inpatient treatment and aftercare upon further order fo the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: It is alleged that Mr. McFarland violated his conditions of supervised release by failing to attend intensive outpatient services (IOP) at SPARC on May 30, and 31, 2023.

On June 1, 2023, the undersigned officer was notified that Mr. McFarland failed to report to his IOP sessions on May 30 and 31, 2023. On May 30, 2023, Mr. McFarland met with his treatment provider and agreed to increasing his level of care to IOP due to his recent relapse. He then missed his first session later that same day. On May 31, 2023, he was a no show for his IOP session.

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The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court and the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/01/2023

s/Courtney Hambel

Courtney Hambel
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge
- ☐ Other



Thomas O. Rice
United States District Judge

June 2, 2023

Date